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 HILTON GRAND VACATIONS CLUB, LLC

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

ANTON NUNNERMACKER, individually,

Plaintiff,

v.

HILTON GRAND VACATIONS CLUB, LLC,  
 a Foreign Limited-Liability Company; DOES 1  
 through 10; and ROE CORPORATIONS I  
 through X,

Defendants.

Case No. 2:24-cv-02094-RFB-MDC

**STIPULATION AND ORDER TO STAY  
 DISCOVERY PENDING RESOLUTION  
 OF DEFENDANT'S MOTION TO  
 DISMISS**

Plaintiff Anton Nunnermacker and Defendant Hilton Grand Vacations Club, LLC, hereby  
 agree and stipulate to stay discovery pending the resolution of Hilton's Motion to Dismiss, which  
 was filed on November 15, 2024 (ECF No. 5). That motion is now fully briefed and awaiting a  
 decision.

Courts have "broad discretion in managing their dockets." *Byars v. Western Best, LLC*, No.  
 2:19-cv-1690-JCM-DJA, 2020 WL 8674195, at \*1 (D. Nev. Jul. 6, 2020) (citing *Clinton v. Jones*,  
 520 U.S. 681, 706–07 (1997)). In exercising this discretion, "court are guided by the goals of  
 securing the just, speedy, and inexpensive resolution of actions." *Id.*; *see also* Fed. R. Civ. P. 1.  
 This broad discretion applies to discovery, including whether to allow or deny discovery. *See e.g.*,  
*Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). The parties agree that good cause exists

1 to stay discovery given that Hilton has filed a Motion to Dismiss that may be “dispositive” of  
2 Plaintiff’s claims. *See Schrader v. Wynn Las Vegas, LLC*, No. 2:19-cv-02159-JCM-BNW, 2021  
3 WL 4810324, at \*4 (D. Nev. Oct. 14, 2021); *Aristocrat Techs., Inc. v. Light & Wonder, Inc.*, No.  
4 2:24-cv-00382-GMN-MDC, 2024 WL 2302151, at \*1 (D. Nev. May 21, 2024). Staying discovery  
5 here will also avoid duplicating discovery efforts and help avoid unnecessary fees associated with  
6 pursuing discovery before the Court resolves the pending Motion to Dismiss. Consistent with the  
7 foregoing, the parties agree that they will be in a better position to discuss the necessary scope of  
8 discovery that will be needed, if any, and the amount of time necessary for both sides to gather  
9 evidence, once Hilton files its Answer. Notwithstanding the foregoing, the parties agree to  
10 exchange initial disclosures under Rule 26(a)(1) on or before March 3, 2025.

11 Therefore, the Parties hereby agree and stipulate that:

- 12 1. All discovery in this action shall be stayed pending a decision on Hilton’s Motion to  
13 Dismiss; and
- 14 2. Should the Court’s Order resolving the Motion to Dismiss not result in a full dismissal of  
15 Mr. Nunnermacker’s claims, then (i) the stay of discovery shall be lifted as of the date the Court  
16 enters its Order resolving the Motion to Dismiss; (ii) the Parties shall conduct a supplemental Rule  
17 26(f) conference within fourteen days of entry of the Court’s Order resolving the Motion to  
18 Dismiss; and (iii) the Parties shall file an amended Discovery Plan and Scheduling Order within  
19 twenty-one calendar days of the entry of the Court’s Order resolving the Motion to Dismiss.

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3. Nothing in this Stipulation is intended to affect the currently scheduled Early Neutral Evaluation.

Dated: February 26, 2025

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BOWEN LAW OFFICES

LITTLER MENDELSON, P.C.

/s/ Jerome R. Bowen

/s/ Andrew S. Clark

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Amy L. Thompson, Esq.  
Andrew S. Clark, Esq.

Attorneys for Plaintiff  
ANTON NUNNERMACKER

Attorneys for Defendant  
HILTON GRAND VACATIONS CLUB, LLC

**ORDER**

IT IS SO ORDERED.

UNITED STATES MAGISTRATE COURT JUDGE  
2-27-25

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